



UNIVERSITY OF
TORONTO
FACULTY OF LAW



AUTHORSHIP AND COPYRIGHT: THEORY AND HISTORY

**Professor Abraham Drassinower &
Distinguished Visiting Professor Mark Rose**

Winter 2010

STORAGE

These materials are solely for the classroom use of students in the Faculty of Law,
University of Toronto

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Authorship and Copyright: Theory and History

Abraham Drassinower and Mark Rose

Timetable

January 7 – By Way of Introduction

January 14 – Originality and the Public Domain I

January 21 – Originality and the Public Domain II

January 28 – Copyright and Patent

February 4 – Natural Right Copyright

February 11 – No Class

February 18 – Reading Week

February 25 – No Class

March 4 – Locke

March 11 – Kant

March 16 to March 26 – Professor Mark Rose Visit – See Schedule

April 1 – No Class

April 8 – No Class



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AUTHORSHIP AND COPYRIGHT: THEORY AND HISTORY
ABRAHAM DRASSINOWER AND MARK ROSE

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Seana Shiffrin, "The Incentives Argument for Intellectual Property Protection" in Axel Gosseries, Alain Marciano and Alain Strowel (Eds.), *Intellectual Property and Theories of Justice* (UK: Palgrave Macmillan, 2008) 17

ORIGINALITY AND THE PUBLIC DOMAIN I

Jessica Litman, "The Public Domain" 39 *Emory L.J.* 965 (1990) 23

Jessica Litman, "Lawful Personal Use" 85 *Texas L. Rev.* 1871 (2007) 68

ORIGINALITY AND THE PUBLIC DOMAIN II

Abraham Drassinower, "Authorship as Public Address: On the Specificity of Copyright Vis-a-Vis Patent and Trade-Marks" 2008 *Mich. St. L. Rev.* 199 (2008) 118

Abraham Drassinower, "From Distribution to Dialogue: Remarks on the Concept of Balance in Copyright Law" 34 *Iowa J. Corp. L.* 991 (2009) 152

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Baker v. Selden, 101 U.S. 99 (1879) 169

Pamela Samuelson, "Why Copyright Excludes Systems and Processes from the Scope of its Protection" 85 *Texas L. Rev.* 1921 (2007) 174

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Maurizio Borghi, "Owning Form, Sharing Content: Natural-Right Copyright and Digital Environment" in F. Macmillan (Ed.), *New Directions in Copyright Law*, Vol. 5 (Edward Elgar, 2007) 231

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John Locke, "Of Property" from John Locke, *Second Treatise of Government* 256

Seana Shiffrin, "Lockean Arguments for Private Intellectual Property" in Stephen R. Munzer (Ed.), *New Essays in the Legal and Political Theory of Property* (New York: Cambridge University Press, 2001) 264

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Immanuel Kant, "On the Wrongfulness of Unauthorized Publication of Books" from Immanuel Kant (Ed. Mary J. Gregor), *Practical Philosophy* (New York: Cambridge University Press, 1996) 279

Immanuel Kant, "What is a Book?" from I. Kant (Ed. Mary J. Gregor), *Practical Philosophy* (New York: Cambridge University Press, 1996) 286

